PETITION FOR ADMIN. VARIANCE E/S Marshall Mill Rd., 3960' NW of the c/l of Mt. Carmel Rd. (18007 Marshall Mill Road) 5th Election District 3rd Councilmanic District

ZONING COMMISSIONER \* OF BALTIMORE COUNTY

George F. Sabol, IV, et ux Petitioners

\* Case No. 94-147-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \*

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, George F. Sabol, IV, and his wife, Donna L. Sabol. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of November, 1993 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject. however, to the following restriction:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however. Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LES:bjs

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

EXAMPLE 3 - Zoning Description - 3 copies 94-147-A

- 2-

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 18007 MARSHALL MILL RD HAMPSTEAD MD 21074 Councilmanic District \_\_\_\_\_ Election District 5th

side of THESHAUTLUCE (north, south, east or west) (street on which property fronts) (number of feet of right-of way width) wide at a distance of 3/4 MILE Scull of (number of feet) (north, south, east or west) 

BUCTUP UISTA ESTATES AN recorded in Beltimore County Plat

ITEM# 143

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_\_, Folio \_\_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

November 4, 1993

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Mr. & Mrs. George F. Sabol, IV 18007 Marshall Mill Road Hampstead, Maryland 21074

RE: PETITION FOR ADMINISTRATIVE VARIANCE E/S Marshall Mill Road, 3960' NW of the c/l of Mt. Carmel Road (18007 Marshall Mill Road) 5th Election District - 3rd Councilmanic District George F. Sabol, IV, et ux - Petitioners Case No. 94-147-A

Dear Mr. & Mrs. Sabol

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Mis & Stille LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

cc: People's Counsel

LES:bjs

Printed on Recycled Paper

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 18007 NML Muy LD This Petition shall be filed with the Office of Zoning Administration & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat effect and hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 400.1 To allow an accessory structure (garage) to be located in the front yard in item of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons, rendicate hardship or Currently the only practical location to build a garage on this lot about be the existing parking packing about my stage of the house that about have to be removed as as a correct parking above ground pool with deck. All of these improvements are indicated on the attached pick in and as a correct parking are constructed and attached to the house a number of improvements would have to be destroyed. Additionally the garage to be diminish the only available recreation area of this location the found have to be destroyed. Additionally, this improvement is also from the found yard investigation of a garage approximately 32 x 35 to be built in the ordation that is greatly approximately as a feed on the construction of a garage approximately 32 x 35 to be built in the ordation that is greatly approximately as a parking provided that improvement would only enhance the attractiveness of the lock and does long and wasto favor to adverse effect or any of the neighbors.

Property is to be posted and advertised as prescribed by Zoning Regulations f, or we, agree to pay expenses of above Variance advertising, posting, etc., upon fong of this petition, and further agree to and are to

be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning : see for Baltimore County The Subsection of the area of the mountain the threshold franchis may be as are the Contract Purchasers esses Type or Port Name and help 18007 MARSHALL MINERS W- 363-1600 Attorney for Patitioner 4-239-2433 Type or Print Name: 21074 Name Advisors and crime runder of representative of the colors top.

A Public Hosping having been requested and/or found to be required. An ordered the the Loring Commissioner of Batteriate County, this against the second of that the subject matter of this perhance set for a public hearing, advertised as required by the forming Regulations of Batherine County in the sentence of general

Torrig Commissioner of Bahmise County

TEM # 143

Stanger by

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 94 - 147-19

Posted for: Karieres	Date of Posting
Petitioner: Booys & Poyne	Se 601
Location of property: 18007 Mors kall	Mil! Rd., F/S 3960' N/AT/COVA.1.
	way on property bring zoned,
Remarks:	
Posted by Manager Signature	Date of return: 10/27/23

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

October 22, 1993

Baltimore County Government Office of Zoning Administration and Development Management

Mr. and Mrs. George F. Sabol IV 18007 Marshall Mill Road Hampstead, Maryland 21074

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file This petition was accepted for filing on September 28, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future soning petitions and are simed at expediting the petition filing process

> has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without

That the Affiant(s) does/do presently reside at 18007 WARSHALL WILL RD HAMPSTEAD WD That based upon personal knewledge, the following are the facts upon which live base the request for an Administrative Variance at the above address: (edicate hardship or practical difficulty) Currently, the only practical location to build a garage on this lot would be the existing parking pad. This is due to existing improvements on the lot such as decking attached to the house that would have to be removed as well as a covered patio and an above ground pool with deck. All of these improvements are indicated on the attached plat. In order for the garage to be constructed and attached to the house a number of improvements would have to be destroyed. Additionally, this would greatly diminish the only available recreation area of this lot aside from the front yard. Therefore, I am requesting an Administrative Variance that would allow construction of a garage approximately 32' x 26' to be built in the location that is currently a parking pad. This improvement would only enhance the attractiveness of the lot and dwelling and would have no adverse effect on any of the neighbors.

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to

testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Scal. Sept 14, 1993

My Commission Expires: December 27,1993

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., 8.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of baginning.

RE: Case No. 94-147-A, Item No. 143 Petitioner: George F. Sabol IV, et ux Petition for Administrative Variance The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

1. The director of Zoning Administration and Development Management

the necessity of a preliminary review by zoning personnel.

O. James Lighthizer Hal Kassoff Administrator

10-8-93

Re: BALTIHORE COUNTY
Item No.: \* 143 (RT)

Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Ms. Charlotte Minton

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

My telephone number is \_\_\_\_\_ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 BALTIMORE COUNTY, MARTLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 14, 1993

Arnold Jablon, Director Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 142, 143, 146, 150 and 151.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

ZAC.142/PZONE/ZAC1

111 West Chesapeake Avenue OCTOBER 18, 1993 Towson, MD 21204 (410) 887-3610 Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 ZONING AGENDA: MEETING OF OCTOBER 12, 1993 Property Owner: Maurice M. Boylan, Sr. and Lois M. Boylan Location: #114 Northwood Drive Item No.: \*142 (JRF) George F. Sabol, IV & Donna L. Sabol #18007 Marshall Mill Road #143 (RT) George J. Wimmer and Susan M. Wimmer #9405 Oak White Road #144 (JCM) Paul W. Rogers and Bonnie J. Rogers #1653 Frenchs Avenue #145 (JRA)

Baltimore County Government

Department of Permits and Licenses

Cedarside Farm Joint Venture #4 Symphony Woods Court 146 (RT)

Cedarside Farm Joint Venture #2 Trumpet Court 147 (RT)

Howard B. Miller & Linda C. Miller SW/S Greenspring Avenue Eetween Broadway and Kelley Avenues

Peter P. Golaboski and Anna H. Golaboski #9121 Cuckold Point Road 149 (RT)

Herbert P. Bush and Esther F. Bush #4 Opie Road 150 (JLL)

Herbert R. Bush and Esther E. Push #6 Opie Road 151 (JLL)

Henry C. Stull and Helen A. Stull And Printed and Stull Printed and Stull Printed and Stull Printed and Stull Paper

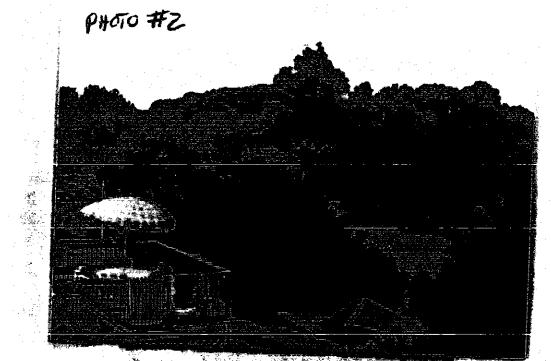
Plat to accompany Petition for Zoning | Variance | Special Hearing PROPERTY ADDRESS: 18007 MARSHALL WILL RD

Subdivision name: BUEHA VISTA ESTATES

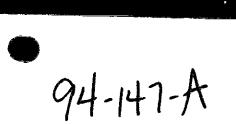
plat book# 39, folio# 51, lot# 24, section# OWNER: GEOLUE DONNA SABOL BECELEYSVILLE JIM MARTIN HOUSE. \$ 48° 25'52"E MACADAM DKIVE LOCATION INFORMATION SEWER: WATER: 🔲 💢 566°75'57"} North

FRANT CF HOUSE PHOTO #2

Pg. 1







PILTO #5





and Development Management

111 West Chesapeake Avenue Towson, MD 21204

OUTOBER 13, 1993

(410) 887-3353

BITICE OF CASE PURSUE ASSIGNMENT

TO: George F. Sabol, IV and Donna L. Sabol 18007 Marshall Hill Road Hampetead, Maryland 21074

Re: CASE NUMBER: 94-147-A (Item 143) 18007 Marshall Hill Road E/S Harshell Hill Road, 3960'+/- from c/l Ht. Carmel Brand 5th Election District - 3rd Councilmanic

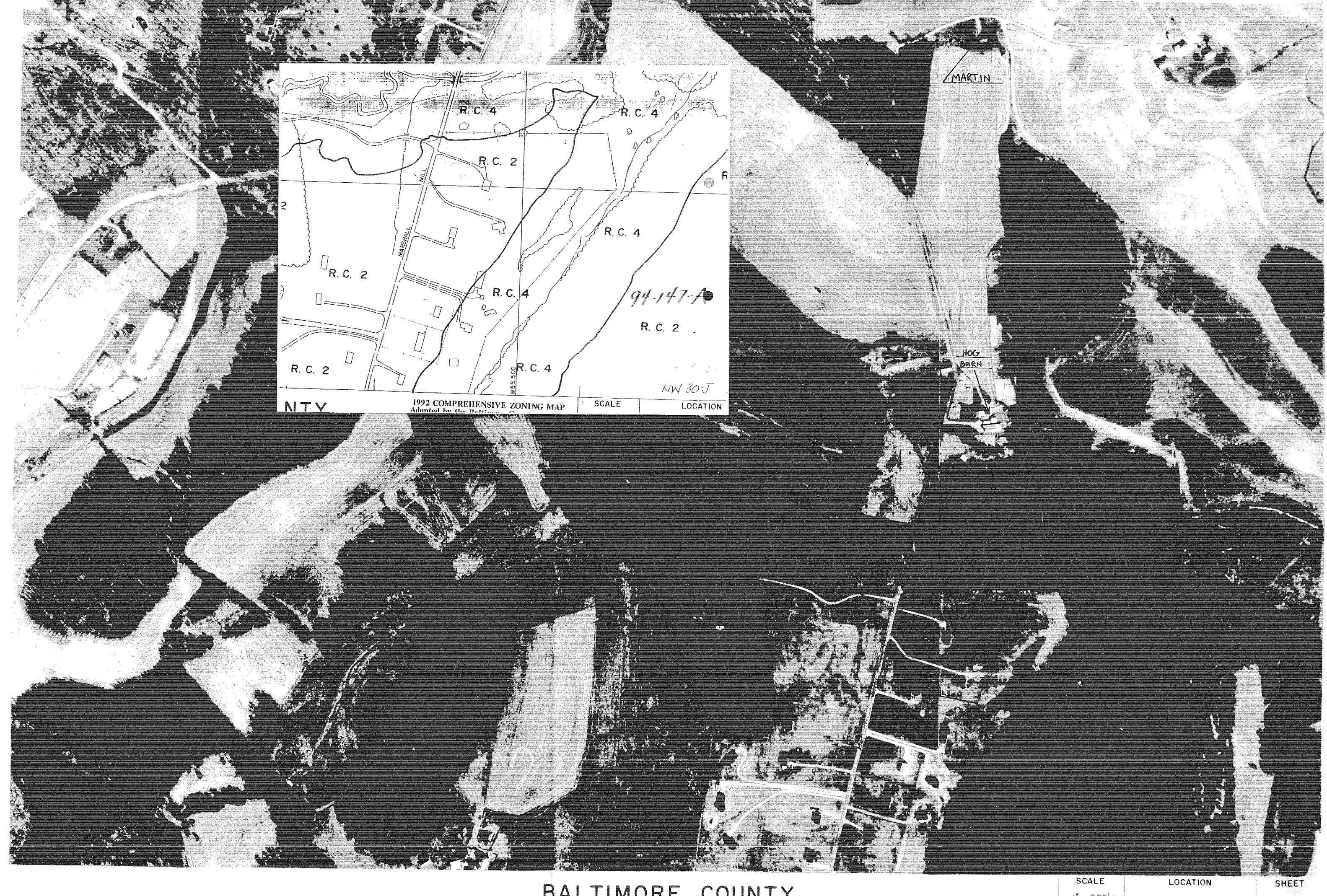
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office recording the status of this case should reference the case mader and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 17, 1993. The closing date (Movember 1, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) damy the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the bearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They say be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.



PREPARED BY AIR PHOTOGRAPHICS, INC. MARTINSBURG, W.V. 25401

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP 1943  $| = 200 \pm$ 

NORTHWEST OF ARMACOST